

APPROVED
MINUTES
NORTHWEST PROGRESSO – FLAGLER HEIGHTS
REDEVELOPMENT ADVISORY BOARD
FORT LAUDERDALE
100 NORTH ANDREWS AVENUE
8th FLOOR CONFERENCE ROOM
DECEMBER 16, 2015 – 3:30 P.M.

Cumulative Attendance
May 2015 - April 2016

<u>Members Present</u>	<u>Attendance</u>	<u>Present</u>	<u>Absent</u>
Steve Lucas, Chair	P	8	0
Ella Phillips, Vice Chair	P	8	0
Jessie Adderley	A	6	2
Leann Barber	P	7	0
Sonya Burrows (arr. 3:40)	P	8	0
Ron Centamore	P	7	1
Alan Gabriel	P	5	2
Mickey Hinton	A	3	4
John Hooper	P	7	2
Dylan Lagi (arr. 3:50)	P	7	1
Steffen Lue	P	1	0
Dev Motwani	P	3	0
Jacqueline Reed	P	4	1
Scott Strawbridge	P	8	0
John Wilkes	A	7	1

Currently there are 15 appointed members to the Board, which means 8 would constitute a quorum.

It was noted that a quorum was present at the meeting.

Staff

Jeremy Earle, Deputy Director, Department of Sustainable Development
Jonathan Brown, Northwest CRA Manager
Sandra Doughlin, DSD/ECR
Bob Wojcik, Planner III
Sharon Ragoonan, Code Compliance Manager
Mona Laventure, Recording Secretary, Prototype, Inc.

Communications to City Commission

None.

I. Call to Order / Roll Call

Chair Lucas called the meeting to order at 3:34 p.m. Roll was called and it was noted a quorum was present.

New Board member Steffen Lue introduced himself at this time. Mr. Lue works with the Dan Marino Foundation and was appointed by City Commissioner Dean Trantalis.

II. Approval of Minutes from November 24, 2015 Meeting

Motion made by Mr. Gabriel, seconded by Mr. Strawbridge to approve [as amended].

Mr. Gabriel requested clarification of the funding amounts listed on p.3 under Item III. Mr. Wojcik advised that \$1,093,709 will come from the CRA, while the Florida Department of Transportation (FDOT) will provide \$1,334,313 for a total of approximately \$2.428 million.

Mr. Gabriel also noted a correction on p.8: the motion should state “the work Mosaic has done to date.”

Vice Chair Phillips stated that the entirety of her comments on p.8 were not included in the November 24 minutes. She directed Staff to add more information from her discussion.

In a voice vote, the **motion** passed unanimously.

III. Quantum at Flagler Village – Request for Streetscape Funding

Chair Lucas noted that this Item has been deferred to the Board’s January 2016 meeting.

The following Items were taken out of order on the Agenda.

VI. CRA Redevelopment Plan Update

Mr. Earle observed that the Board members received copies of the updated CRA Redevelopment Plan via email. The document is virtually unchanged from the Plan the Board recommended for approval in October 2015, with only minor additions and clarifications of language.

Chair Lucas recalled that the Board had requested review of the document before it is presented to the CRA Board and the City Commission for final approval, although this review resulted in a slight delay. If the Board makes a motion in support of the Plan, it will go before the CRA Board on January 20, 2016.

Motion made by Mr. Gabriel, seconded by Ms. Barber, to approve.

Mr. Earle advised that the revised Plan was accompanied by a memo that listed some of the specific changes to the document. These changes include the ability for the CRA to identify a brownfield, address climate change issues, and add public improvements such as lighting, if the need arises and the Board wishes to undertake these projects.

The updated CRA Redevelopment Plan also addresses issues such as transportation and public safety and security initiatives, some of which are listed in the document. New and expanded quality-of-life programs and projects, such as marketing, events and activities, and public enhancements may also be included in the Plan.

Chair Lucas pointed out that the document is intended to ensure compliance, which means it may allow certain types of programs whether or not the Board ultimately decides to fund these programs. Mr. Earle clarified that the updated CRA Redevelopment Plan does not commit or refer to funding for specific programs, but includes catchall language that will allow the Board to fund these items in the future if they so desire.

Ms. Burrows stated that she believed Phase 1 of the update process was intended to address projects the Board has already approved. Mr. Gabriel reiterated that this phase includes language that allows the Board to consider other needs and options that may arise in the future, while Phase 2 of the process will allow the Board to address particular projects and items that they wish to undertake.

In a roll call vote, the **motion** passed 8-4 (Vice Chair Phillips, Ms. Burrows, Ms. Reed, and Mr. Strawbridge dissenting).

V. CRA Updates

Mr. Earle explained that the CRA Update memo provided to the Board is intended to update the Board on various CRA activities that have been underway in the past five to six months. Staff is seeking to create new programs that will stimulate redevelopment within the CRA area. He introduced Jonathan Brown, who will act as the new Northwest CRA Manager. Mr. Brown has served as the City's Housing and Community Development Manager in the past.

Mr. Earle continued that the City's Department of Sustainable Development has gone through significant transition in recent months. Former Northwest CRA Director Al Battle is now a Deputy Director of the Department of Sustainable Development, along with Mr. Earle. The City also has a new Economic Development Manager, Michael Chen, who was introduced at the November Board meeting. The Department has also instituted new internal financial controls for the CRA in addition to the update of the CRA Redevelopment Plan. Staff is working closely with organizations such as the Sistrunk

Historic Council and the Flagler Village Civic Association to inform them of these new controls on how events are funded within the CRA.

a. Economic Development Strategic Framework

Mr. Earle stated that the Economic Development Strategic Framework was approved by the Economic Development Advisory Board, which oversees all economic development initiatives within the City. A copy of the Framework has been provided to the Board for informational purposes. The Framework considers City-wide economic development and includes strategies for retail recruitment within the Northwest CRA.

b. Proposed CRA Incentives

Mr. Earle advised that he will provide the Board with a draft of revised and updated CRA incentives for consideration at the January 2016 meeting. Some of the proposed changes to current programs include providing small business owners with larger grants, through which the business will be asked to pay 20% and the CRA will pay 80%. Businesses will also no longer be asked to pay for improvements first and accept reimbursement at a later time. The revised incentives will allow the CRA to be extremely aggressive in attracting restaurants, retail, and housing, particularly along the Sistrunk Corridor, within the next year.

Mr. Earle moved on to marketing and branding, stating that the Mosaic Group will be a major participant in the marketing and branding efforts for the CRA. They will disseminate information about the revised incentive programs to retailers and developers. Many local businesses are currently unaware of the incentive programs. Programs will be structured specifically for both large- and small-scale developments. These programs will allow the Board greater freedom to approve negotiated agreements, such as infrastructure improvements that will assist developments.

Mr. Earle reviewed other minor changes enacted in recent months, which include a new CRA website, which includes basic information intended to promote economic development. Another change includes the Board's approval of a retail recruitment consultant, Retail Strategies, to work with the CRA in order to promote retail and restaurant development. Retail Strategies will seek to attract businesses to the area, and may work in conjunction with the Mosaic Group as it continues with marketing and branding efforts.

Chair Lucas requested clarification of Retail Strategies' responsibilities. Mr. Earle replied that part of the consultant's contract is a detailed market analysis to be conducted in the first 90 days. This analysis will allow the CRA to understand what they can expect to attract to the area. Once this information has been determined, Retail Strategies will aggressively recruit on a nationwide basis to encourage businesses to come to the CRA.

Vice Chair Phillips stated that she would like to see the Mosaic Group working together with this consultant to ensure both agencies are on the same page. She expressed concern that otherwise there could be duplication of resources.

Ms. Barber added that she hoped the Board will have the opportunity to comment on the Economic Development Strategic Framework. Mr. Earle explained that this document is the result of a process led by the Economic Development Advisory Board (EDAB). He noted that the Board will be able to take items to the EDAB and make recommendations on the Framework.

Mr. Strawbridge commented that an economic plan has already been generated for the CRA by other neighborhood advisory boards, which includes a restaurant district and culinary incubator. He expressed concern that the Economic Development Strategic Framework is based on data collected between 1990 and 1995, which is no longer accurate in many ways. He pointed out that the per capita income within the eastern part of the CRA is four times the per capita income of the western part of the CRA; there are also disparities in household size, which exacerbate the cost burden of residents.

Mr. Strawbridge continued that Fort Lauderdale is one of the most racially segregated cities in Florida, population density is significantly higher in the western CRA than in the eastern portion, and the unemployment and poverty rates are higher within the CRA than throughout the entire city. He did not feel the Economic Development Strategic Framework reflected sufficient knowledge of the conditions within the CRA.

Mr. Earle noted that the Economic Development Strategic Framework is a compilation of various plans the City has conducted over the past seven years, using data that has already been seen in various forms by Staff, the City Commission, and residents. He clarified that the Economic Development Strategic Framework was a Staff effort to compile information from various plans into a single document for review by the EDAB.

Chair Lucas asked if the Board will be able to see these incentives when they are rolled out by the City. Mr. Earle explained that most of the incentives discussed in the Framework fall within the CRA, and will be presented to the Board at the January meeting.

Ms. Barber stated that she would like to see a timetable for deliverables related to the document. She also expressed disappointment that the Board was not asked to provide input on economic development within the CRA, despite their knowledge of and passion for the CRA area. She felt incentives such as innovation zones are focusing on other areas when they could also be used to help the CRA. Mr. Earle advised that the CRA Redevelopment Plan, which was approved earlier in the meeting, is the document that governs activity in the CRA. The Framework was generated by another Board studying the overall issue of economic development in Fort Lauderdale.

c. Code Enforcement Updates

Mr. Earle stated that several Code compliance changes have recently been enacted as well. He introduced Code Compliance Manager Sharon Ragoonan, who reviewed some of these changes as well as changes proposed for the CRA in the future.

Ms. Ragoonan explained that while Code Compliance may be perceived as a regulatory division, they are proposing a new framework that will tie this Department into economic development. By ensuring the standards put into place by the City, Code Compliance can help ensure a thriving economy and continued attraction of people to the various areas of the City, including the CRA.

She distributed a framework document, the Community Beautification Program, which has been issued as a “soft launch” in other parts of the City and will hopefully be implemented within the Northwest CRA. This Program includes a strategy focusing on key areas, including strategic partnerships with businesses and other stakeholders. Another major aspect of the Program is outreach and education, through which Code Compliance will work alongside the Board in making the CRA a more attractive area.

The Community Beautification Program consists of four components:

- Redefining Community Outreach
- Neighborhood Beautification Alliance
- “Leave No Business Behind”
- Special Response Team

Ms. Ragoonan advised that the goal of redefining Community Outreach includes coming up with information that is easier to comprehend by showing how individuals can avoid committing violations. She showed a Code Compliance brochure as an example, pointing out that it is a courtesy notice that educates individuals about how to avoid Code violations through voluntary compliance. Door hangers will also be used to thank individuals who maintain their properties adequately.

The Neighborhood Beautification Alliance, which is already in effect in three neighborhoods within the City, consists of a team of Code Compliance personnel that works with the local neighborhood association. In lieu of having Code Officers conduct neighborhood sweeps, this allows the associations to share the areas of concern in their neighborhoods and develop strategies to mitigate these issues.

Ms. Ragoonan continued that Leave No Business Behind was developed with the Sistrunk Corridor in mind. The intent is to engage the business community and discuss incentives available to them. This will allow Code Compliance to help businesses seek out the resources they need to come into compliance.

The Special Response Team represents a collaborative approach through which Code Compliance partners with other City and County Departments to address situations of genuine blight. She provided photographs from the Northwest 5th Avenue area, where there are not only zoning but environmental and business use issues. These problems require multiple Departments to fully address and maintain the issues using different resources.

Ms. Ragoonan moved on to how the CRA can help address Code issues, noting that Code Compliance is working with Housing and Community Development to help residents access potential resources. Mr. Earle pointed out that the programs are designed to help assist homeowners who cannot improve their properties. This can be incorporated into some of the initiatives outlined broadly in the CRA Redevelopment Plan. He noted that it may require another RFP to identify a company to help with this issue.

Ms. Reed asked if Housing and Community Development has already established programs to address some of these issues. Mr. Earle replied that while there are some existing programs, there are also other issues the Board may wish to address using CRA dollars to supplement the efforts of Housing and Community Development.

Ms. Burrows asked if the amended CRA Redevelopment Plan includes language that would allow the CRA to help existing businesses address Code violations. Mr. Earle advised that while the amended document does not specifically address this question, it does allow the CRA to create new programs dealing with Code Enforcement and business issues if they see the need.

d. NPF CRA Business and Social Capital Development Programs

Mr. Earle continued that CRA Staff continues to meet regularly with developers and investors who have expressed interest in coming to the area. They are working with the Department of Transportation and Mobility on the creation of surface parking lots and working with businesses on Sistrunk Boulevard to address Code violations, as previously discussed. There is potential for partnerships with housing rehabilitation programs such as Rebuilding Together Broward or similar entities, if approved by the Board. The Ambassador Program will also come back to the Board for approval in the near future.

Mr. Earle noted that a building capacity program and training programs is expected to be underway in 2016. As new business is attracted, the CRA also does not wish to exclude businesses already located within the area. The goal is to train community members on how they can take their businesses to the next level. Programs that address this goal may eventually be linked to incentive programs within the CRA. The CRA will work closely with Broward County and use some of the County's small business programs.

A new coupon program will be rolled out in order to encourage residents to visit restaurants located within the CRA. Staff is also working on streetscape cleanup, power washing, and other neighborhood improvement initiatives. Mr. Earle credited CRA Staff with the work toward these plans and others discussed in this report, and thanked the Board for its patience and cooperation during the process.

VII. Marketing & Branding Update – Mosaic Group

A representative of the Mosaic Group provided an update on the agency's work, noting that they are in the final stages of preparing the first Village Vine newsletter for the CRA as well as the business development tool kit. These items are expected to be complete in January, along with the updated CRA website. Mosaic is also assisting with the pilot program for local restaurants.

A food truck initiative program is underway for East Sistrunk Boulevard, which will bring local food trucks to the Sistrunk Corridor for monthly family-oriented activities. Mosaic will also assist Staff in helping local businesses and business retention. The minor changes made to the Progresso Village logo will be presented, and a content-gathering session with this neighborhood is being planned.

The CRA brand launch is expected for the end of January 2016, with the Sistrunk brand launch to follow at the end of February and Progresso in March. The Mosaic Group will also attend the Flagler Civic Association Holiday Party in order to take photos of their new Board members for the spring edition of the Village Vine.

The Board members discussed the update, including additional information on the upcoming food truck event. Family entertainment is typically provided along with the food trucks. The intent is to attract both residents and visitors to the area. There are additional options that will provide more engagement for area restaurants as well as food trucks. There is no cost to the City to bring in food trucks, and the only costs for which the CRA is responsible will be marketing, entertainment, and security.

Mr. Strawbridge commented that crime has decreased by approximately 50% in the CRA during the last five to six years. He suggested that this could be very important as a messaging tool. He added that he would like to see up-to-date statistics so he could determine whether or not progress is being made in this area. Mr. Earle replied that he would contact the Fort Lauderdale Police Department for this data.

Ms. Burrows asked if the Board can expect to see iterations of the Mosaic Group's ideas prior to their approval by Staff. Mr. Earle noted that there is no new logo or CRA brand at this time. Ms. Burrows explained that the Board may wish to contribute input on some of the agency's ideas prior to final drafts.

Chair Lucas pointed out that the Board has approved the foundation of Mosaic's marketing plan, which includes the village concepts presented for the three different neighborhoods within the CRA. Ms. Burrows added that Mosaic could meet with the individual neighborhoods and then report on these discussions for the Board. Vice Chair Phillips agreed that the Board members want to be more closely involved in this process. It was suggested that Mosaic may keep the members updated via email prior to actual Board meetings, depending upon when the neighborhood associations meet.

IV. Brownfield Presentation – Michael Goldstein

Mr. Earle recalled that at the November Board meeting, he had proposed the idea of a brownfield designation for the CRA. The Board members had wished to hear additional information about this process. He introduced Michael Goldstein, managing partner of the Goldstein Environmental Law Firm, who is one of the experts in the state of Florida regarding brownfield issues. He advised that this is an informational Item only, with no approval necessary.

Mr. Goldstein explained that he has worked with brownfield issues since before the state of Florida first created a brownfield program in 1997. He advocates for policy that leverages targeted public sector incentives to generate investments of private capital. This leads to several types of initiatives on brownfield sites, such as sustainable, workforce, affordable, town home, or market-rate housing. These projects lead to the creation of several jobs. Brownfields can also support new businesses, accelerate the environmental cleanup process, promote public health protection, facilitate climate stewardship, and promote other activities with social, economic and environmental benefits.

Mr. Goldstein defined "brownfield" as a generic term with no legal meaning, but with statutory meaning within the State of Florida and other states. The term is used to refer to any type of property where the community would like to see reuse, repurposing, or recycling of land for a better purpose. The term also refers to any type of property in which actual or perceived contamination complicates this reuse and creates market disincentives for investment in repurposing.

Mr. Goldstein continued that when environmental laws were passed in the United States, they resulted in the unintended effect of promoting litigation rather than cleanup. As a result, most lenders, developers, and local governments did not want to become involved with contaminated lands. This meant the properties could not be financed for construction or development due to the regulatory burden and cost. In the 1990s, a decision was made to adopt incentives that would result in repurposing this land. This was the beginning of brownfield programs, which established incentives at the state and local level to encourage developers to embrace problem sites.

Mr. Goldstein advised that the contamination of land can be actual and documented, or can be only perceived, as this perception contributes to market dysfunction. He cited former gas station, dry cleaning, nursery, printing press, automotive, and other sites as examples of areas with actual or perceived contamination. To address this, the government has created a legal structure around brownfield sites. If this process is successfully invoked, any entity coming into the CRA will be able to access various categories of incentives, such as financial and regulatory incentives.

With regard to housing, a workforce or affordable housing developer would be able to come into the CRA and receive a 100% sales tax refund on construction materials from the State. Mr. Goldstein estimated that of a \$15 million development with a 40% construction materials budget, which equals \$6 million, \$360,000 would be refunded to the developer through the sales tax refund incentive. This number would increase for projects with even more significant construction budgets.

A cleanup tax credit is also available to subsidize the cost of cleanup as well as some of the costs of development. Mr. Goldstein noted that several sites within the CRA have some level of actual contamination, based on their historic use. These conditions create significant cleanup costs, for which a Florida Corporate Income Tax Credit is available to provide between 75% and 100% recovery of cleanup costs. If a developer is providing workforce or affordable housing, or a public health facility, they may receive a 100% tax credit on all eligible cleanup costs, as well as some site development costs that function similarly to cleanup.

Mr. Goldstein advised that it is not always cost-effective or even possible to dig up all the contaminated soil on a site. A developer may encapsulate this soil beneath a building pad, parking lot, or landscaping/hardscaping, which is considered to be a cleanup approach. Tax credit certificates may also be sold on the secondary market at a value of approximately 88 cents on each dollar. Combined with the sales tax refund on construction materials, this provides a significant windfall for developers.

A third incentive is related to job creation. The State provides a tax refund of \$2500 for every full-time equivalent position created by an employer. The final incentive is liability protection. Because it is difficult for a developer to commit to a site with actual or perceived contamination, the brownfield cleanup agreement provides liability protection from the State. This liability protection extends to the developer's lending entity. Mr. Goldstein concluded that these and the additional tax credits described earlier would apply if the CRA is designated a brownfield.

A local government with a CRA may designate that CRA area as a brownfield by fiat. There are no substantive criteria that must be evaluated for the designation: notice provisions must be followed, and two public hearings and one community meeting must be held.

Mr. Goldstein noted that there have been concerns from the City Commission and Mayor in the past with regard to designating large areas of the City as brownfields, due to the stigma associated with the term. The State Legislature has recently amended the procedure by creating a section of the Statute that permits an applicant to not use the term "brownfield." As a result, some areas using this designation are known as green reuse areas, green empowerment zones, or job acceleration zones. The CRA is allowed to come up with a name they feel will be more positive for the repurpose of troubled properties.

Mr. Goldstein advised that if individuals do not want their properties designated as a brownfield or another name for the program, the Statute includes an opt-out provision for those properties. He concluded that this is not a new program, as there are over 350 designated brownfield areas within the state of Florida, more than 75 of which are 1000 acres or larger. Four dozen CRAs have designated brownfield areas within the state of Florida.

The Board discussed the Item, with Mr. Goldstein adding that the only downside to a brownfield designation is the stigma attached to it, which can be managed. He advised that evidence shows this designation does not create a decrease in property value; however, the most likely resistance to the proposal will be that it could result in more harm than good.

Chair Lucas asked if the entire area must be designated a brownfield with individuals allowed to opt out, or if only certain parts of the CRA may be designated. Mr. Goldstein replied that the designation may be strategic, but again characterized the stigma as hypothetical at best.

Ms. Burrows observed that while she did not take issue with designating a contaminated area as a brownfield, she did not feel why the designation would be necessary for the entire CRA, as properties are already being purchased within the area. Mr. Goldstein advised that if the designation is not adopted on a programmatic basis for either the entire CRA or parts of it, developers are forced to go through the brownfield process on a project-specific basis, which can be expensive. He added that if there is actual or perceived contamination, this may force the CRA to accept development patterns that are less logical than they might want.

Ms. Burrows pointed out that the CRA's proximity to Downtown Fort Lauderdale makes it unlikely that a developer would go elsewhere. She also noted that the CRA includes a historic community, and that individuals who do not sell their property may want to improve their properties, which could be more difficult under a brownfield designation. Mr. Goldstein stated that homeowners within a designated brownfield area are protected in the same manner as developers, and their lenders are protected as well. He agreed, however, that the CRA may not wish to designate single-family residential

areas as brownfields, as the incentive is intended to attract and sustain commercial, industrial, or multi-family redevelopment.

Vice Chair Phillips advised that there are already contamination issues in some areas, and noted that the homes surrounding these areas might not be affected by the designation. Mr. Goldstein stated that accessing the brownfield program would not place additional stigma on an already contaminated area, as it actually provides funding for cleanup. He felt the designation would also expedite projects, as by Statute, State and County environmental must give priority to projects undergoing cleanup under the brownfield program.

Mr. Motwani asked if it would be possible for owners of commercial properties who know they have contamination issues on these properties to opt in rather than opt out. Mr. Goldstein replied that while this would be a more time-intensive process, this could be done. He advised that the designation process itself serves as an opt-in process, as the applicant gets to decide which properties are included. One possibility could be the strategic identification of certain corridors, such as commercial, retail, and industrial areas, for the designation.

Mr. Goldstein offered the example of a property on which a developer wishes to build, but learns that there is significant contamination. If a brownfield designation is already in place, this developer would already be aware of these issues rather than having to undergo a lengthy process to acquire the designation.

Mr. Strawbridge commented that there are many areas of the community that are vested in single-family homes and do not want to be involved in the type of redevelopment typically associated with brownfields. He felt the designation would work best in areas of intensive commercial development rather than undertaking a blanket approach.

Chair Lucas stated that he would like this issue to be discussed further at a subsequent meeting, as it is a complex subject. Mr. Earle emphasized that this Item was for informational purposes only, to allow the Board to determine if they wished to pursue a brownfield designation. He advised that he would email additional information to the Board members.

VIII. Communication to CRA Board

None.

IX. Old / New Business

None.

X. Adjournment

There being no further business to come before the Board at this time, the meeting was adjourned at 5:34 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]